

# SIMPSON SAYS HALL JURY CURSED HIM

## McCarter Lauds Mrs. Hall as Good Wife and Sister

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was going to sign a waiver and return to Jersey City.

W. Pledge Brown, Mirror reporter, was called, and questioned by Simpson.

Q. Were you in the elevator with Di Martini and Mrs. Demarest that day? A. Yes.

Q. What did you hear him say? A. "Hello, Mrs. Demarest."

By Case:—

Q. You are another of those Mirror men? A. Yes.

That is all.

Lieut. Walter Cieciuch, Jersey City detective, supported the testimony of Walsh and Brown.

### Said He Didn't Know Date

Ray Krim, reporter on the Philadelphia Ledger, said Arthur Applegate, one of Henry Stevens's alibi witnesses, had told him at Lavallette that he did not know what date he had seen Henry Stevens or when the bluefish had been weighed.

By Case:—

Q. Did not he tell you he was positive it was the night of the murder, but that he could not remember the exact date? A. He did not.

Mrs. Elsie Barnhardt, sister of Mrs. Mills, testified that Di Martini had told her he had been to see Mrs. Gibson.

The state's rebuttal was completed at 11.03.

Eldridge W. Stein, defense handwriting expert, was put on the stand by McCarter.

### Writing Expert Called

Q. Have you examined these photographic enlargements of William Stevens's alleged fingerprints? A. Yes.

Q. Have you examined Henry Stevens's diary? A. Yes.

Q. In your opinion, was the third line "At Max's in aft," written before or after the fourth line "one blue, four pounds?" A. In my opinion, it was written after the third line.

In cross-examination Stein agreed with the state experts that three pencils had been used.

### Print Evidence

J. H. Taylor, defense fingerprint expert, testified that he had found evidence of superimposition of prints on the calling card.

Wilbur E. Rogers, Brooklyn Eagle reporter, testified that he had not heard Di Martini greet Mrs. Demarest in the Brooklyn court house elevator.

F. Raymond Daniell, of the New York Evening Post, was on the elevator with Rogers, he testified.

Daniell also said that Di Martini had not spoken to Mrs. Demarest.

With the completion of Daniell's examination at 12.03 p. m., all testimony in the case was completed, the jury was excluded and Simpson resumed his plea for a mistrial.

After a mistrial had been denied the jury was called back, a map of De Russeys Lane was nailed on a wall, a table of documents was moved in, and the defense prepared its summation.

### McCarter Sums Up

McCarter began:—

"Just a month ago today you gentlemen were called for a most important civil obligation. Speaking for our side, the state of New Jersey is under everlasting obligations to you."

"I am about to start my summation. It will be an effort on our part to bring out that enormous group of facts in this case. If you will indulge me for a couple of hours I shall studiously endeavor to clarify that mass of facts."

"We do not have the last say. Senator Simpson has that privilege. I asked him to interrupt me if I misquote facts. We shall do likewise with him."

"The claim is that Mrs. Hall, Henry and William Stevens, ruth-

## Slain Choir Singer's Daughter Collapses



JUST AS SHE was about to enter the witness box to give her most startling bit of testimony at the Hall-Mills murder trial yesterday, as a rebuttal witness, Charlotte Mills, daughter of the slain choir singer, fainted. She is shown in above photo (center) with head bowed, leaving court room accompanied by her aunt, Mrs. Elsie Barnhardt, and a reporter. (Photo Graphic.)

lessly, malignantly and horribly did murder Dr. Hall and Mrs. Mills on September 14, 1922.

"Who are these people? Are they thugs, criminals, crooks?"

### Refined and Genteel

"No, they are refined and genteel people. Mrs. Hall was an active church worker; she was a devoted wife to a husband she thought was devoted. She is a devoted sister."

"Henry, living in Lavallette, is law-abiding, refined and home-loving. Another is William, the idol of his sister. He has the hobby of running to fires as so many of us have; he lives happily with his sister."

"In this environment you would not expect to find brutal criminality."

"In the prosecution of the church work Mrs. Hall met Mrs. Clarke and Mrs. Mills."

"As the latter is the storm center, let us regard her. She was drab; she had no money; she was happy only in her church work."

"We find Mrs. Mills becoming more active in the church. She entered the guild and went to the camp."

"Dr. Hall, the pastor, went to the camp and took a part in church activities."

"For two years, the evidence shows, Mrs. Mills occupied a room apart from her husband."

"Then, in January, 1922, she had an operation. Who took her to the hospital? Mrs. Hall. Who visited her there? Mrs. Hall. Who brought her home? Mrs. Hall, in her car."

"Who paid her bills? Mrs. Hall. Then came the summer of 1922. Henry was on the beach at Laval-

## Scared Hall Jurors Talk in Whispers At Luncheon

SOMERVILLE, N. J., Dec. 1 (By U. P.).—The twelve most self-conscious men in the world were observable this noon at a long table in the restaurant of George Ianson, 15 Main St., Somerville.

They were the jurors in the Hall-Mills case, whose alleged misconduct supplied the basis for a motion for a mistrial this morning.

Hitherto the jurors have met at luncheon in a carefree manner, exchanging "wise cracks" and partaking in general conversation.

Today, however, the jurors sat silently and completed their meal in half the usual time. Even "Please pass the olives" was spoken in whispers.

lette. William was at ay Head. Dr. Hall and Mrs. Hall were at Isleford.

"When Dr. Hall got certain letters from Mrs. Mills, he conspicuously showed them to his wife. When he sent postcards to his parishioners he conspicuously sent one to Mrs. Mills."

Here McCarter pointed to the testimony that the rector secretly received his love letters from the choir singer while at Isleford; that Mrs. Hall knew nothing of them. On the other hand, the old lawyer thundered, Dr. Hall's love letters were sent openly to the Mills home, where James Mills might have seen them.

"While the Halls were away, Mr. Mills cared for their house. Did he find anything there that would shame Dr. Hall? He did not."

"Labor Day, and these people come home. On September 13, a day before these tragedies, all of these people go on an outing to Lake Hopatcong."

"Mrs. Hall did not have to ask Mrs. Mills. But she did, and Mrs. Clarke tells us they had a wonderful time."

"The 14th arrives. Ah (indicating the defendants), they never can forget that day; we never will."

"Breakfast; luncheon, and Dr. Hall goes on an errand to Berdine's Corners."

## Defense Fights Simpson Attempt To Avert Collapse

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law of James Mills, had signed the second in which he declared that on November 5 he had seen Juror No. 6 (Fred Sago) talking to McCarter and August Studer, another defense counsel. A third affidavit made by Barnhardt's wife, Elsie, was to the same effect, as was another signed by Charlotte Mills.

### Batch of Affidavits

Adolph Novak, reporter, swore he had seen Jurors Nos. 2 and 5 (Young and Edward S. Tillman) nodding and apparently asleep. Wilbur Rogers, reporter, made similar statements, as did Robert Lindborn, another newspaperman. Other affidavits, alike in most details, had been signed by policemen and Somerville residents who had closely followed the trial.

As the special prosecutor finished his argument, Justice Parker announced he would take the matter under consideration. It is expected he may make known his decision later in the day or tomorrow.

Indications this afternoon are that Simpson will be left to follow his own course in attempting to obtain a mistrial. Gov. A. Harry Moore made it plain that he intends to keep his hands off the case, that all responsibility for its conduct rests solely with the little prosecutor.

Last night Simpson sent a letter to the state executive and declared he would again communicate with him today, but this he failed to do.

"If he had called me, I would have advised him to use his own best judgment," Gov. Moore said on leaving his Jersey City home for Trenton.

"Simpson is on the ground, knows the situation thoroughly and is, I think, in a better position than anybody else to decide what course to pursue."

Simpson's letter read:—

"Nov. 29, 1926.

"Dear Governor: The condition of affairs in Somerville is so bad as to be disgusting to anybody who is trying to see justice done. I am, of course, not working for a conviction at all hazards in the trial of Frances Hall, Henry Stevens and William Stevens, but every one in Somerville knows that the jury is 'loaded.' Some of them sleep during the evidence; they receive telephone messages without any guard; also receive visitors, who talk to them without any guard or sheriff's officers."

"The thing is so absolutely open that one of the guards left them the other day and went into a drug store while the jury wandered along the street unguarded. I have reports that the jurors are so stupid and unintelligent (that is, one or two of them) that they have openly boasted they didn't care what the evidence was, but they would find against the state."

"It seems to me that the chief executive of the state, having sworn to see that the laws are faithfully exacted, should take some notice of this condition. Yours very truly,

"ALEXANDER SIMPSON."

### Newspaper Attacked

As the defense counsel came into court today it was apparent they were prepared to fight strenuously Simpson's attempt to have a mistrial called. McCarter said he had read the morning newspapers and was ready for the motion concerning the alleged misconduct of the jury.

"We also understand," the senior counsel went on to say, "that the so-called 'facts' upon which the motion of Senator Simpson will be based were manufactured by representatives of the Daily Mirror, the Hearst tabloid newspaper, with which the prosecution has been so intimately associated since the Mirror instigated this investigation for its own selfish purposes."